

DETAILED ACTION

Response to Election Requirement

1. The response to Election Requirement filed on 6/26/2008 has been entered.
Invention 2 (claims 32-46) has been elected.

Response to Arguments

2. Applicant's arguments, filed on 1/30/2008, with respect to the rejection(s) of claim(s) 32, 33, 38, 39, 42 and 43 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

Examiner Amendments

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
4. Authorization for this examiner's amendment was given in a telephone interview with Applicant's representative Paul Kiel on 9/12/2008.
5. The application has been amended as follows:
In the claims:

- Cancel claims 25-31.

Allowable Subject Matter

6. Claims 32-46 are allowed.
7. The following is an examiner's statement of reasons for allowance.

- The prior art fails to teach an apparatus of Claims 32, 38 and 42 that specifically comprises the following:

-- The instant application is deemed to be directed to a non-obvious improvement over the admitted prior art of the instant application and the invention patented in Pat. No. US 4,393,502, US 6,961,388 and US 6,023,783.

The improvement comprises:

With regard Claims 32, 38 and 42, "simultaneously receiving the encoded program signal over a first transmission channel and a second program signal over a second transmission channel, which is independent of the .first transmission channel; and decoding the encoded program signal using the second program signal and a first function. " as recited in combination with other limitation in claims 32, 38 and 42, respectively.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. Reference(s) US 4,393,502 are cited because they are put pertinent to the transmitter and receiver. However, none of references teach detailed connection as recited in claim.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted M. Wang whose telephone number is (571) 272-3053. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

/Ted M Wang/
Primary Examiner, Art Unit 2611